

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 04004A

1 WHEREAS, Dan Byers of Meyer Homes, Inc. has submitted an application
2 designated as Special Permit No. 04004A for authority to amend Stone Bridge Creek Community
3 Unit Plan to allow a deck higher than three feet to extend up to eight feet into the rear yard setback,
4 on property generally located at 7310 Whitewater Lane, and legally described to wit:

5 Lot 11, Block 2, Stone Bridge Creek 2nd Addition, Lincoln, Lancaster
6 County, Nebraska;

7 WHEREAS, the real property adjacent to the area included within the site plan for
8 this amended community unit plan will not be adversely affected; and

9 WHEREAS, said site plan together with the terms and conditions hereinafter set
10 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote
11 the public health, safety, and general welfare.

12 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
13 Nebraska:

14 That the application of Meyer Homes, Inc., hereinafter referred to as "Permittee",
15 to amend Stone Bridge Creek Community Unit Plan to allow a deck higher than three feet to extend
16 up to eight feet into the rear yard setback on the property legally described above, be and the same
17 is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln
18 Municipal Code upon condition that construction of deck in the rear yard setback be in strict
19 compliance with said application, the site plan, and the following additional express terms,
20 conditions, and requirements:

21 1. This permit approves an 8' x 16' deck higher than 3' to project 8' into the
22 required rear yard setback.

1 2. The terms, conditions, and requirements of this resolution shall be binding
2 and obligatory upon the Permittee, its successors, and assigns. The building official shall report
3 violations to the City Council which may revoke the special permit or take such other action as may
4 be necessary to gain compliance.

5 3. The Permittee shall sign and return the City's letter of acceptance to the City
6 Clerk within 30 days following approval of the special permit, provided, however, said 30-day period
7 may be extended up to six months by administrative amendment. The City Clerk shall file a copy
8 of the resolution approving the special permit and the letter of acceptance with the Register of
9 Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor